

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re: BioPure Securities Litigation,

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Civ. No. 03-12628 -NG

LEAD PLAINTIFF'S ASSENTED-TO MOTION
TO EXTEND BRIEFING SCHEDULE

Pursuant to Fed. R. Civ. P. 6(b) and Local Rule 7.1, Lead Plaintiff hereby moves this Court to grant a fifteen (15) day extension of time on the various deadlines in the briefing schedule. As grounds therefor, Lead Plaintiff states as follows:

1. Defendants' counsel have assented to the relief sought by this motion.
2. On June 16, 2004, this Court entered a briefing schedule on Defendants' motion to dismiss, requiring defendants to answer or otherwise respond to the amended complaint on or by September 22, 2004, Lead Plaintiff to file an opposition to defendants' motion to dismiss within 45 days after defendants' motion to dismiss, and defendants to file their reply within 30 days after Lead Plaintiff's opposition.
3. On September 16, 2004, defendants filed an assented to motion to extend the briefing schedule by two weeks. On October 6, 2004, defendants filed their motion to dismiss.
4. Due to commitments and obligations of Lead Plaintiffs' co-counsel in other cases, they require an additional fifteen days to prepare and file their opposition to defendants' motion to dismiss.

WHEREFORE, Lead Plaintiff respectfully requests that this Court enter and order that extends the briefing schedule by fifteen days so that Lead Plaintiff must file his

opposition on or by December 7, 2004, and defendants must file their reply within 30 days after Lead Plaintiff's opposition is filed.

Dated: November 18, 2004

Respectfully submitted,

SHAPIRO HABER & URMY LLP

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Lead Plaintiff and The Class**

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(a)(2)

I hereby certify that the parties' counsel have conferred in a good faith effort to narrow or resolve the issues raised in this motion. Defendants have assented to this motion.

/s/Theodore M. Hess-Mahan